

STATE OF KANSAS

DEPARTMENT OF HEALTH AND ENVIRONMENT
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GOVERNOR JEFF COLYER, M.D.
JEFF ANDERSEN, SECRETARY

July 30, 2018

INFORMATION NOTICE: KS IN 2018-01 Schedule of fees.

ADDRESSEES

All Kansas licensees and registrants.

PURPOSE

The Kansas Department of Health and Environment (KDHE) is issuing this Information Notice to announce we are proposing the amendment of regulation K.A.R. 28-35-147a, "**Schedule of fees**". This proposed regulation change will set the fees charged for radioactive materials licenses and x-ray registrants in Kansas, to the maximum as allowed by statute (K.S.A. 48-1406).

CIRCUMSTANCES

The most recent fee increases in this regulation went into effect in 2013 and was at that time estimated to be sufficient for five years. The five-year estimate has been reached, and an increase in fees is needed to maintain the program at current levels. Under the U.S. Nuclear Regulatory Commission (NRC) - Kansas delegation agreements, the state of Kansas is required to have adequate funding and staff resources to maintain regulations, inspection, and licensing which are compatible with the NRC to retain state authority for radioactive materials under the Agreement. These proposed amendments, while fiscal in nature, will enable the state to retain that Agreement State authority by meeting the NRC requirement to implement the program.

The fees charged by the Kansas Radiation Control Program as listed in this proposed regulation are reasonable and comparable to, and in most cases less than, similar fees being charged to maintain radiation control programs in other states.

Fee Assessment to Licensees with Noncontiguous Locations of Use: This regulation describes the addition of 50% of the license fee to each additional location of use. This regulation adds 50% of the license fee to each additional location of use. This additional fee will not be charged to temporary job locations and will not be charged to service provider licensees such as mobile nuclear medicine because inspections and license activities are not performed on clients of the licensee.

This new fee category was added by HB2600 during the 2018 legislative session and signed into law by the Governor and is already in place in Kansas.

The information contained in this Information Notice does represent proposed new regulatory requirements but does not require a written response or specific action. Addressees should review this Information Notice for applicability to their circumstances.

CONCLUSION

When this proposed regulation is published, fees will increase as described for radioactive materials licensees and x-ray registrants. Kansas radioactive materials license fees remain lower than those charged by the NRC in non-agreement states and lower than all neighboring Agreement States.

Comments or questions can be sent to:

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In accordance with the Kansas regulatory process, a notice of hearing will be published on this website with the final regulation package, and an opportunity to submit comments or attend the public hearing will be offered.